

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 7/15/22
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UNITED STATES OF AMERICA,

-against-

TOMAS COLON,

Defendant.

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18-CR-536 (VEC)

ORDER

VALERIE CAPRONI, United States District Judge:

WHEREAS on July 12, 2022, Defendant Tomas Colon appeared for an arraignment with his attorney before Magistrate Judge James L. Cott, *see* Dkt. 366;

WHEREAS Mr. Colon pled not guilty;

WHEREAS the parties appeared for a conference on July 15, 2022, *see* Dkt. 369;

WHEREAS the Court, pursuant to *United States v. Curcio*, 680 F.2d 881 (2d Cir. 1982), inquired into Mr. Colon's understanding of potential conflicts of interest arising from his attorney's prior representation of Defendants Hector Caba Batista and Octavio Molina-Acevedo; and

WHEREAS the Court appointed Andrew G. Patel for the limited purpose of advising Mr. Colon on the potential risks of proceeding with his chosen counsel;


IT IS HEREBY ORDERED that the parties, including Mr. Patel, must appear on **Friday, July 22, 2022 at 2:30 p.m.** in **Courtroom 443**, Thurgood Marshall U.S. Courthouse, 40 Foley Square, New York, NY.

IT IS FURTHER ORDERED that time is excluded for the period between July 15, 2022, and July 22, 2022, under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A), as the ends of justice

served by taking such action outweigh the best interest of the public and the Defendant in a speedy trial given Defendant's need to fully understand the risks of waiving his right to non-conflicted counsel.

**SO ORDERED.**

**Date: July 15, 2022**  
**New York, NY**

  
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**VALERIE CAPRONI**  
**United States District Judge**